IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 6348 of 2007
Date of Decision: 7.05.2007

Jagdish Rai

..... Petitioner

Versus

The District Controller, Civil Supplies
& Consumer Affairs, Bathinda & anr.

..... Respondents

CORAM: HON'BLE MR.JUSTICE J.S.KHEHAR
HON'BLE MR.JUSTICE L.N.MITTAL

Present: Mr. Sudhir Mittal, Advocate
for the petitioner.

Mr.Salil Sagar, Addl.AG, Punjab
for the respondents.

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J.S.Khehar, J.(Oral)

Through the instant writ petition the petitioner has impugned the order dated 14.4.2007(Annexure P-4) vide which the licence of the petitioner for running a depot issued under the provisions of the Punjab Public Distribution System(Licensing & Control) Order, 2003, has been cancelled and the entire security deposit of the petitioner forfeited.

Learned counsel for the respondents, on instructions from Mr.Maninder Singh, District Food and Supplies Officer, Bathinda, states

that before passing of the impugned order dated 14.4.2007 which had adverse civil consequence, the petitioner was neither issued a show cause notice nor afforded an opportunity to respond thereto, either in writing or through an appropriate hearing.

In view of the above, we are satisfied that the impugned order dated 14.4.2007(Annexure P-4) which has adverse civil consequence, has been passed without following the principles of natural justice.

In view of the above we are of the view that the same deserves to be set aside. Ordered accordingly. It will, however, be open to the respondents, to take any such further action as may be called for in accordance with law by following the principles of natural justice.

Disposed of accordingly.

(J.S.KHEHAR)
JUDGE

(L.N.MITTAL)
JUDGE

May 07, 2007
sunita